

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KEVIN FERNANDEZ,)	3:12-cv-00401-LRH-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	December 13, 2012
)	
DR. CENTRIC, <i>et al.</i> ,)	
)	
Defendants.)	
)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is plaintiff's "Motion for Court to Issue and Serve Subpoena Duces Tecums" (Doc. # 82). Plaintiff states that via these proposed subpoenas he is seeking "documents" from the "non parties" (*id.* at 3). However, he only identifies certain parties and an agency, making no reference to what "documents" should be produced. His motion is not accompanied by the requisite witness fees and mileage expenses.

The court will not grant Plaintiff's request have the Clerk of the Court issue and serve subpoenas. The Ninth Circuit has recognized that "28 U.S.C. § 1915, the *in forma pauperis* statute, does not waive payment of fees or expenses for witnesses." *Dixon v. Yist*, 990 F.2d 478, 480 (9th Cir. 1993) (citing *Tedder v. Odel*, 890 F.2d 210, 211-12 (9th Cir. 1989); Screening Order, Doc. # 3 at 13-14.

The Clerk shall issue four blank subpoenas and send them to Plaintiff. The Clerk shall also send to Plaintiff a copy of the docket sheet in this case. Plaintiff is advised to consult the Federal Rules of Civil Procedure and Local Rules of the District of Nevada to determine how he wishes to proceed in this matter. Plaintiff is also reminded that the order granting him leave to proceed *in forma pauperis* does not extend to the issuance of subpoenas at government expense. In other words, all costs and attendant witness fees associated with the service of the subpoena are to be borne by Plaintiff.

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Plaintiff's motion (Doc. # 82), insofar as it requests the Clerk of the Court to serve Plaintiff's subpoenas, is **DENIED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: _____ /s/
Deputy Clerk